

IN THE UNITED STATE DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION

MONICA DANIEL HUTCHISON,)
)
)
Plaintiff,) Case No.: 09-3018-CV-S-RED
vs.)
)
) Jury Trial Demanded
TEXAS COUNTY, MISSOURI;)
MICHAEL R. ANDERSON,)
TEXAS COUNTY PROSECUTING)
ATTORNEY; and)
MICHAEL R. ANDERSON, individually)
)
Defendants.)

JOINT STIPULATION OF UNCONTROVERTED FACTS

Having conferred counsel for Plaintiff and counsel for Defendant have agreed to the following statement of uncontroverted facts:

The Plaintiff in this action is Monica Daniels Hutchison, an individual who lives in Cuba, Missouri. Mrs. Hutchison was married on November 3, 2008. Prior to her marriage she was known as Monica Daniel and it was under that name that she was employed by the Texas County Prosecuting Attorney's office. She was single at all times she was employed in the Texas County Prosecuting Attorney's office.

The Defendant is Michael R. Anderson, the Prosecuting Attorney of Texas County, Missouri. Mr. Anderson was elected Prosecuting Attorney of Texas County in 2002, and began his term on January 1, 2003. He was reelected in 2006.

From January, 2003 through the first week in December of 2005, Monica Daniel Hutchison was employed by Mr. Anderson as his secretary. During the first week of December, 2005, Michael

Anderson told Monica Daniels Hutchison that she would need to look for a new job. Monica Daniel Hutchison did not return to work after that conversation.

At the beginning of the next week Mr. Anderson asked Sergeant Jeff Kinder, a Missouri Highway Patrolman, to call Ms. Daniel and see if she would talk with Mr. Anderson about returning to her job. She agreed to do so, and, after talking to Mr. Anderson, returned to work at the Prosecuting Attorney's office.

On the weekend of December 17 and 18, 2005 Mike Anderson, went to the home of Monica Daniel Hutchison. He knocked on the doors and windows and used his cell phone to call her home. Monica Daniels Hutchison was at the house with Mildred Williams, and did not answer the door, nor did she answer to phone calls.

On December 23, 2005, Michael Anderson, acting as Prosecuting Attorney of Texas County, requested Judge Ellsworth of Texas County to issue a criminal investigative subpoena, which read as follows "For copying, any voice recording audio or otherwise and any telephone answering machine recordings of Michael Anderson taken at your residence on December 18, 2005."

After the Judge served the subpoena upon Ms. Daniels Hutchison she resigned her employment.

On May 31, 2006, Mr. Anderson filed a lawsuit against Monica Daniels Hutchison and Mildred Williams alleging that they defamed him. Mr. Anderson dismissed that lawsuit on July 10, 2006.

In this case Plaintiff, Monica Daniels Hutchison, seeks to recover damages from the Defendant, Michael Anderson. She alleges that Michael Anderson discriminated against her during her employment with him because of her sex in violation of her rights under the Equal Protection Clause of the Fourteenth amendment to the United States Constitution and Section 1983 of the United States Code. She also alleges that Michael Anderson defamed her by filing the lawsuit on May 31, 2006

and repeating the allegations in that suit to the press. Monica Daniel Hutchison also alleges that Michael Anderson filed that lawsuit for an improper purpose and abused the legal system.

Finally, she alleges Mr. Anderson intentionally caused her emotional distress by calling her, coming to her house, and his actions at her house during the early morning of December 18, 2005.

Respectfully Submitted,

STEELMAN, GAUNT & HORSEFIELD

By: /s/ David Steelman
MO Bar #27334
Stephen F. Gaunt, MO Bar #33183
901 Pine Street, Ste. 110
P.O. Box 1257
Rolla, MO 65402
Telephone: 573-341-8336
Fax: 573-341-8548
dsteelman@steelmanandgaunt.com
sgaunt@steelmanandgaunt.com

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I, David L. Steelman, hereby certify that on the 29th day of November, 2010 the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to:

Warren E. Harris
Taylor, Stafford, Clithero, Fitzgerald & Harris, LLP
3315 East Ridgeview, Ste. 1000
Springfield, MO 65804
Counsel for Defendant Michael Anderson

/s/ David L. Steelman
David L. Steelman

